

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: County Property Surplus

DEPARTMENT: Administrative Services

DIVISION: Support Services

AUTHORIZED BY: Frank Raymond

CONTACT: Stan Hunsinger

EXT: 5253

MOTION/RECOMMENDATION:

[Continued From 8/25/2009] Approve and authorize the Chairman to execute the County Resolution, Contract for Sale and Purchase of Land, County Deed and Board of Trustees of the Internal Improvement Trust Fund, managed by the Florida Department of Environmental Protection (FDEP) of the State of Florida's Partial Release of Restriction and Reverter for the vacant 0.21 acre portion of Parcel # 32-19-32-300-020C-0000, to Mr. Avery Wisdom, 2030 Pleasant Point Dr., Geneva, FL 32732, for the amount of \$14,400.00 to be held in escrow for the Board of Trustees of the Internal Improvement Trust Fund.

District 5 Brenda Carey

Meloney Lung

BACKGROUND:

County staff received a request from Mr. Avery Wisdom, the adjacent property owner to the county-owned 0.21 acre portion of Parcel # 32-19-32-300-020C-0000 (survey attached), to construct a seawall to prevent any further erosion to both his property and the 0.21 acre portion owned by County. Staff determined that it would be in the best interest of the County to allow Mr. Wisdom to construct the seawall. The property was originally deeded to the County in August 1944, for use as a public camp or picnic grounds. The deed specifies that if this property is not used as indicated, it will revert back to the State. Due to potential liability issues, it was suggested that the County sell the 0.21 acres to Mr. Wisdom and staff has obtained approval from FDEP for this surplus. FDEP requested that Mr. Wisdom have the property surveyed and appraised and they have agreed to surplus at the appraised value. The appraised value is \$14,400 which is to be placed in escrow until closing and will be released after execution of all documents. This surplus is being conducted within the guidelines of FS 125.35 which authorizes the surplus of county-owned property to the adjacent property owner with certain restrictions. Development Review has confirmed that the property does not qualify as a buildable lot in that it does not meet zoning requirements; it does not have access by a public road and is also in a flood prone area.

STAFF RECOMMENDATION:

Staff recommends that the Board approve and authorize the Chairman to execute the County Resolution, Contract for Sale and Purchase of Land, County Deed and Board of Trustees of the Internal Improvement Trust Fund of the State of Florida's Partial Release of Restriction and Reverter for the vacant 0.21 acre portion of Parcel # 32-19-32-300-020C-0000, to Mr. Avery Wisdom, 2030 Pleasant Point Dr., Geneva, FL 32732, for the amount of \$14,400.00 to be held in escrow for the Board of Trustees of the Internal Improvement Trust Fund.

ATTACHMENTS:

1. Resolution
2. Contract for Sale and Purchase of Land
3. County Deed
4. FDEP Partial Release of Restriction and Reverter
5. Maps and Aerials

Additionally Reviewed By:

☒ County Attorney Review (David Shields)

RESOLUTION NO. 2009-R-____

SEMINOLE COUNTY, FLORIDA

**THE FOLLOWING RESOLUTION WAS ADOPTED BY THE
BOARD OF COUNTY COMMISSIONERS OF SEMINOLE
COUNTY, FLORIDA, AT ITS REGULARLY SCHEDULED
MEETING OF _____, 2009.**

WHEREAS, Section 125.35, Florida Statutes, authorizes the sale of real property interests by counties in accordance with certain procedures; and

WHEREAS, the real property known as "An unsurveyed part of Government Lot 4" ("Government Lot 4") was deeded by Deed No. 18920 to Seminole County from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Board of Trustees"), to be used as a public camp and picnic grounds; and

WHEREAS, Seminole County is willing to sell a portion of Government Lot 4 to the adjacent property owner, Avery P. Wisdom, to assist him with the control of flooding problems on his property; and

WHEREAS, Deed No. 18920 contained a deed restriction and reverter clause and the Board of Trustees is by Section 253.03, Florida Statutes, authorized and empowered to release restrictions and reverters for certain lands; and

WHEREAS, that a portion of Government Lot 4 is landlocked, which makes it undesirable for public use; and

WHEREAS, the Board of Trustees is willing to release the restriction and reverter from Deed No. 18920 for the payment of \$14,400.00; and

WHEREAS, Avery P, Wisdom is willing to pay the Board of Trustees the sum of \$14,400.00 and any other recording or miscellaneous fees associated with this transaction such that the transaction contemplated by this Resolution will be at no cost to Seminole County; and

WHEREAS, with the requirements of Section 125.35(2), Florida Statutes, having been met,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA THAT:

1. The Board of County Commissioners of Seminole County, Florida, finds that Government Lot 4 is of insufficient size and shape for any type of development to be constructed on the property and therefore desires to grant and convey a portion of Government Lot 4 to Avery P, Wisdom by County Deed, a copy of which is attached hereto as Exhibit "1", and incorporated herein by this reference thereto as if fully set forth herein verbatim.

2. The Board of County Commissioners of Seminole County, Florida desires to execute the Board of Trustees Partial Release of Restriction and Reverter in order to accomplish the sale of a portion of Government Lot 4.

3. This Resolution is conditioned upon Avery P. Wisdom paying the Board of Trustees the sum of \$14,400.00 and for any recording or other miscellaneous fee associated with this transaction.

4. The Board of County Commissioners of Seminole County, Florida, further finds Avery P. Wisdom has petitioned Seminole County for a release of mineral rights on the subject property.

5. The Board of County Commissioners of Seminole County, Florida further finds the property being conveyed by Seminole County is too small to have practical value for mining, it is unknown whether any valuable minerals exist on the property, the property is not in a location conducive to mining operations of any kind, and without full mineral rights, Avery P. Wisdom would have great difficulty obtaining financing for the property.

6. Therefore the Board of County Commissioners of Seminole County, Florida, in accordance with Section 270.11, Florida Statutes, approves the release of Seminole County's interest in, and title in and to all the phosphate, minerals and metals that are or may be in, on or under the above described land with the privilege to mine and develop the same, Avery P. Wisdom having petitioned for said release.

BE IT FURTHER RESOLVED that the Chairman of the Board of County Commissioners of Seminole County, Florida, is authorized to execute the County Deed relating to a property of Government Lot 4 and to execute the Partial Release of Restriction and Reverter.

ADOPTED this ____ day of _____, 2009.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
BOB DALLARI, Chairman

Date: _____

DGS/dre
05/21/09

Attachment:

Exhibit "1" – County Deed

P:\Users\Dedge\My Documents\Reso\Wisdom Resolution.Doc

THIS INSTRUMENT PREPARED BY:
DAVID G. SHIELDS
ASSISTANT COUNTY ATTORNEY
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-5736

EXHIBIT 1

COUNTY DEED

COUNTY OF SEMINOLE, FLORIDA

THIS DEED is made this ____ day of _____, 2009, by SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the GRANTOR, and AVORY P. WISDOM, whose address is 2030 Pleasant Point Drive, Geneva, Florida 32732, hereinafter referred to as the GRANTEE.

W I T N E S S E T H:

THAT GRANTOR for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid by GRANTEE, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell to GRANTEE, his heirs and assigns forever, the following described land lying and being in Seminole County, Florida, to-wit:

See attached Exhibit A

PROPERTY TAX I.D. NO.: 32-19-32-300-020C-0000

GRANTOR, in accordance with Section 270.11, Florida Statutes, releases its interest in, and title in and to all the phosphate, minerals and metals that are or may be in, on or under the above described land with the privilege to mine and develop the same, the GRANTEE having petitioned for said release. The reason justifying such release is that the above described land is too small to have practical value for mining, it is unknown whether any valuable minerals exist on the property, the property is not in a location conducive to mining operations of any kind, and without full mineral rights, GRANTEE would have great difficulty obtaining financing for the property.

IN WITNESS WHEREOF the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

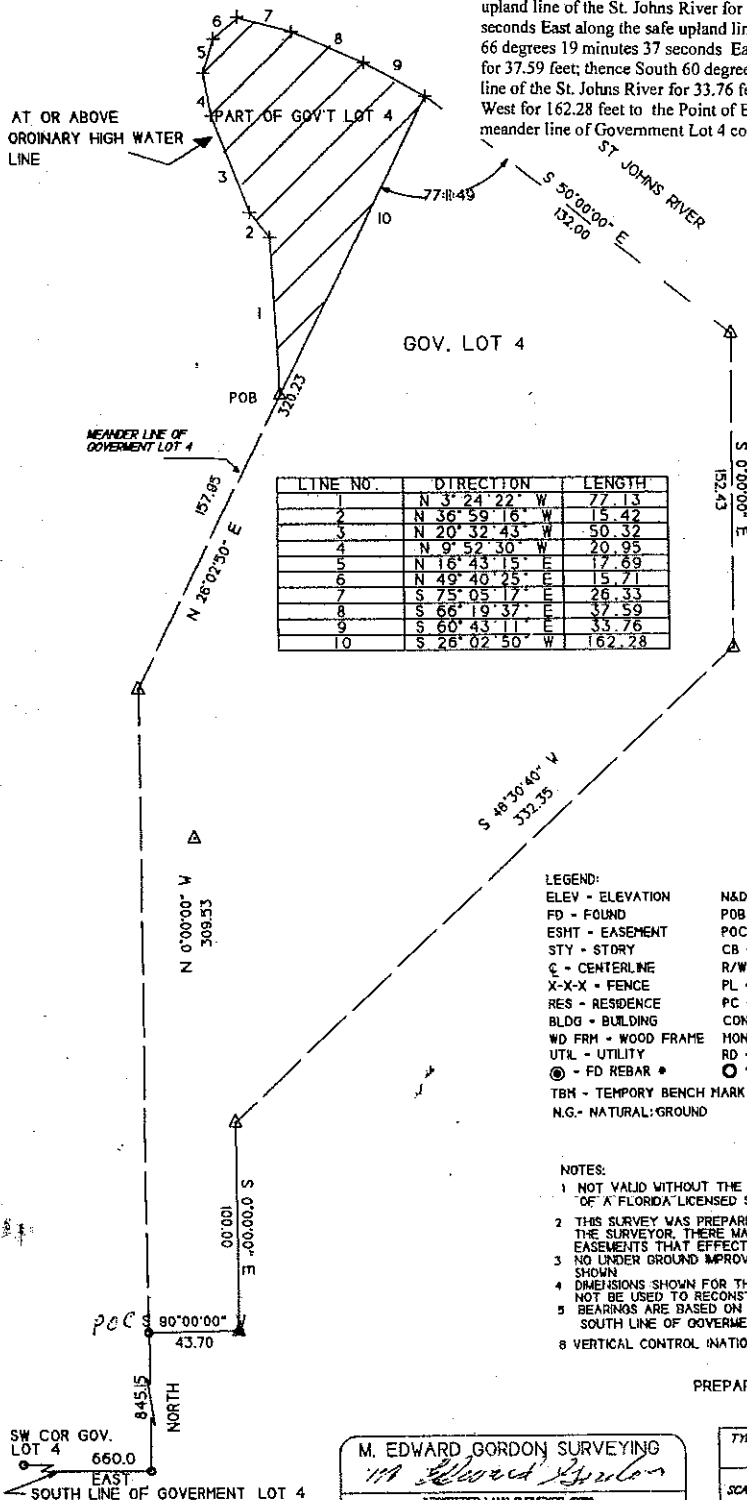
By: _____
BOB DALLARI, Chairman

Date: _____

LEGAL DESCRIPTION

EXHIBIT A

An unsurveyed part of Government Lot 4 of Section 32, Township 19 South, Range 32 East, Seminole County, Florida; Commencing 660.00 feet East and 845.15 North of the Southwest Corner of Government Lot 4 in Section 32, Township 19 South, Range 32 East, Seminole County, Florida; thence run North 309.53 feet; to meander line of Government Lot 4; thence run North 26 degrees 02 minutes 50 seconds East along said meander line, 157.95 feet for a Point of Beginning; thence North 3 degrees 24 minutes 22 seconds West along the safe upland line of the St. Johns River for 77.13 feet; thence North 36 degrees 59 minutes 16 seconds West along the safe upland line of the St. Johns River for 15.42 feet; thence North 20 degrees 32 minutes 43 seconds West along the safe upland line of the St. Johns River for 50.32 feet; thence North 9 degrees 52 minutes 30 seconds West along the safe upland line of the St. Johns River for 20.95 feet; thence North 16 degrees 43 minutes 15 seconds East along the safe upland line of the St. Johns River for 17.69 feet; thence North 49 degrees 40 minutes 25 seconds East along the safe upland line of the St. Johns River for 15.71 feet; thence South 75 degrees 05 minutes 17 seconds East along the safe upland line of the St. Johns River for 26.33 feet; thence South 66 degrees 19 minutes 37 seconds East along the safe upland line of the St. Johns River for 37.59 feet; thence South 60 degrees 43 minutes 11 seconds East along the safe upland line of the St. Johns River for 33.76 feet; thence South 26 degrees 02 minutes 50 seconds West for 162.28 feet to the Point of Beginning. Said Point of Beginning being on the meander line of Government Lot 4 containing 0.21 +/- acres.



LEGEND:

ELEV - ELEVATION
FD - FOUND
ESMT - EASEMENT
STY - STORY
C - CENTERLINE
X-X-X - FENCE
RES - RESIDENCE
BLDG - BUILDING
WD FRM - WOOD FRAME
UTL - UTILITY
● - FD REBAR
TBM - TEMPORARY BENCH MARK
N.G. - NATURAL GROUND

N&D - NAIL AND DISK
POB - POINT OF BEGINNING
POC - POINT OF COMMENCEMENT
CB - CHORD BEARING
R/W - RIGHT OF WAY
PL - PROPERTY LINE
PC - POINT OF CURVE
CONC - CONCRETE
MON - MONUMENT
RD - ROAD
○ - SET REBAR #2259
FF - FINISH FLOOR

BLK - BLOCK
ESMT - EASEMENT
IP - IRON PIPE
R - RADIUS
Δ - DELTA
C - CHORD
L - LENGTH
P - PLAT
- NUMBER
■ - FD CONC MON #
□ - SET CONC MON #2259
INV - INVERT
BM - BENCH MARK

NOTES:

- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT EFFECT THIS PROPERTY.
- NO UNDER GROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN
- DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
- BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS SOUTH LINE OF GOVERNMENT LOT 4 AS BEARING N 80°00'00"E
- VERTICAL CONTROL: NATIONAL GEODETIC VERTICAL DATUM 1928

PREPARED FOR BUTCH WISDOM

M. EDWARD GORDON SURVEYING
119 Edward Gordon
REGISTERED LAND SURVEYOR #2259
PO Box 857 SANFORD, FLORIDA 32772 PHONE 324 5720
301 WEST 11TH STREET SANFORD, FLORIDA

TYPE SURVEY SKETCH AND DESCRIPTION	DATE
SCALE 1" = 60'	8/15/07
JOB NO: 61507	Revised 6/2/09
	SHEET: 1 OF 1

THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE

CONTRACT FOR SALE AND PURCHASE OF LAND
2030 Pleasant Point Drive, Geneva, Florida 32732

THIS AGREEMENT is made and entered into this _____ day of 2009, by and between **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "SELLER", and **EVERY P. WISDOM**, whose address is 2030 Pleasant Pointe Drive, Geneva, Florida 32732, hereinafter referred to as "PURCHASER".

1. **SALE.** SELLER agrees to sell and PURCHASER agrees to purchase the following described real estate, with its appurtenances, located in the County of Seminole, State of Florida:

See attached Exhibit A

PROPERTY TAX I.D. NO.: 32-19-32-300-020C-0000

2. **PURCHASE PRICE AND METHOD OF PAYMENT.** The purchase price is FOURTEEN THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$14,400.00), payable to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Board of Trustees") in cash or by certified funds at closing.

3. **TITLE INSURANCE.** PURCHASER may purchase an owner's title insurance policy insuring PURCHASER to the full amount of the purchase price against loss or damage by reason of defect in the title of SELLER in the above described premises or by reason of prior liens not assumed by PURCHASER under this Agreement.

4. **DEED.** SELLER agrees, on full payment of the purchase price of FOURTEEN THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$14,400.00) as

described above, to make, execute and deliver to PURCHASER a County Deed to the premises.

5. **CLOSING/COSTS.** PURCHASER agrees to close within thirty (30) days of notice by the SELLER or SELLER'S Closing Agent that a closing is ready to occur. At the closing, SELLER will provide PURCHASER with the County Deed to the premises, and PURCHASER shall provide the Board of Trustees with payment of the full purchase price. Following the closing, PURCHASER shall have the right to exclusive possession of the property. All closing costs shall be paid by the PURCHASER.

6. **ASSIGNMENT.** This Agreement shall not be assignable.

7. **CONDITION OF PREMISES.** PURCHASER stipulates that he has made a full inspection of the premises and that SELLER shall not be held liable in any way respecting the condition of the premises and occurrences on the premises. PURCHASER accepts the premises "as is".

IN WITNESS WHEREOF, the parties hereto have made and executed this instrument on the date above stated.

WITNESSES

SIGNATURE

PRINT NAME

AVERY P. WISDOM

SIGNATURE

PRINT NAME

ADDRESS: 2030 Pleasant Point Dr.
Geneva, Florida 32732

[Balance of this page intentionally blank; signatory page continues]

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
BOB DALLARI, Chairman

Date: _____

For the use and reliance
of Seminole County only.

As authorized for execution by the Board
of County Commissioners at its _____,
2009, regular meeting

Approved as to form and
legal sufficiency.

County Attorney

DGS/dre
Attachment
Exhibit A - Legal description
05/21/09

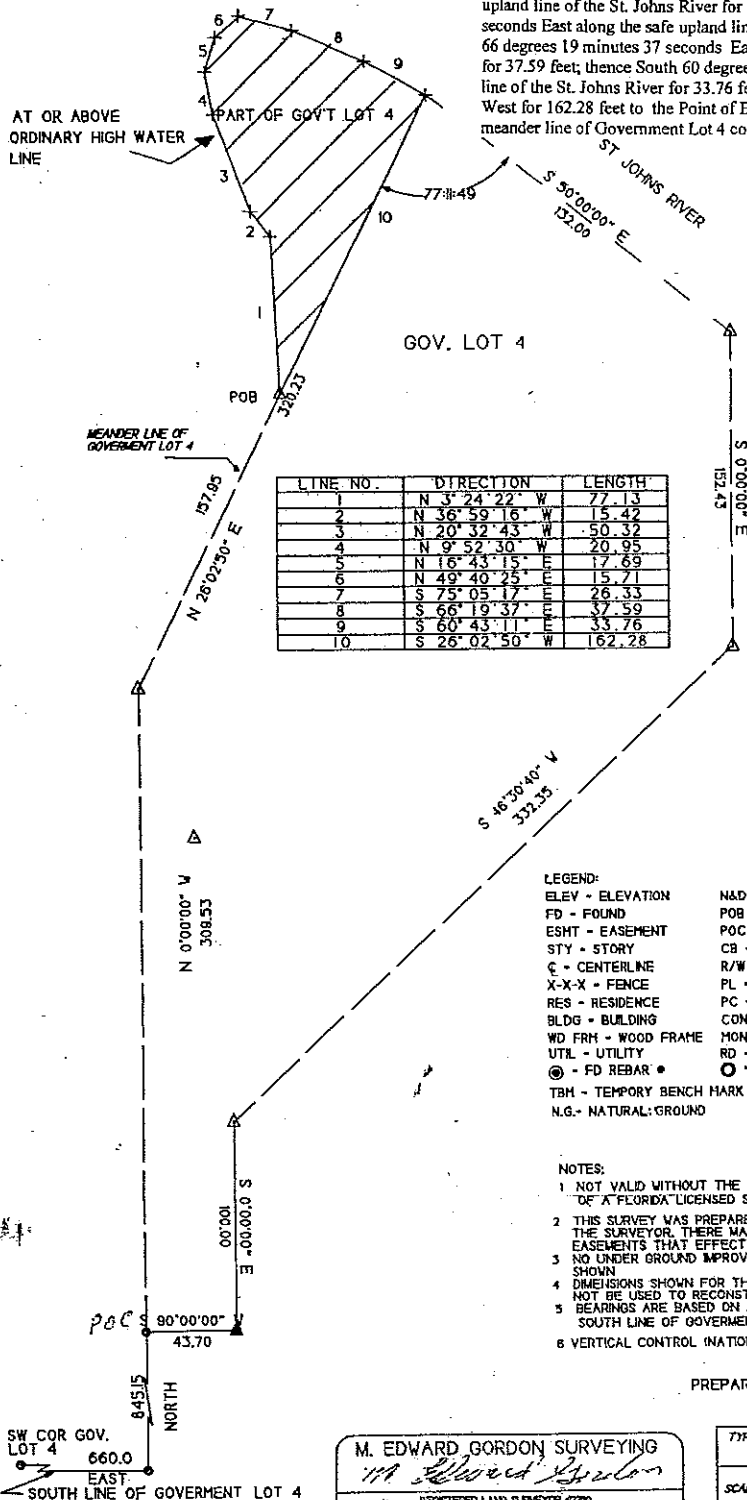


P:\Users\Dedge\My Documents\Agt\Wisdom Contract For Sale and Purchase.Doc

LEGAL DESCRIPTION

EXHIBIT A

An unsurveyed part of Government Lot 4 of Section 32, Township 19 South, Range 32 East, Seminole County, Florida; Commencing 660.00 feet East and 845.15 North of the Southwest Corner of Government Lot 4 in Section 32, Township 19 South, Range 32 East, Seminole County, Florida; thence run North 309.53 feet; to meander line of Government Lot 4; thence run North 26 degrees 02 minutes 50 seconds East along said meander line, 157.95 feet for a Point of Beginning; thence North 3 degrees 24 minutes 22 seconds West along the safe upland line of the St. Johns River for 77.13 feet; thence North 36 degrees 59 minutes 16 seconds West along the safe upland line of the St. Johns River for 15.42 feet; thence North 20 degrees 32 minutes 43 seconds West along the safe upland line of the St. Johns River for 50.32 feet; thence North 9 degrees 52 minutes 30 seconds West along the safe upland line of the St. Johns River for 20.95 feet; thence North 16 degrees 43 minutes 15 seconds East along the safe upland line of the St. Johns River for 17.69 feet; thence North 49 degrees 40 minutes 25 seconds East along the safe upland line of the St. Johns River for 15.71 feet; thence South 75 degrees 05 minutes 17 seconds East along the safe upland line of the St. Johns River for 26.33 feet; thence South 66 degrees 19 minutes 37 seconds East along the safe upland line of the St. Johns River for 37.59 feet; thence South 60 degrees 43 minutes 11 seconds East along the safe upland line of the St. Johns River for 33.76 feet; thence South 26 degrees 02 minutes 50 seconds West for 162.28 feet to the Point of Beginning. Said Point of Beginning being on the meander line of Government Lot 4 containing 0.21 +/- acres.



PREPARED FOR BUTCH WISDOM

M. EDWARD GORDON SURVEYING
M. Edward Gordon
 REGISTERED LAND SURVEYOR #2259
 PO Box 187 SANFORD, FLORIDA 32771 PHONE 321 5720
 325 WEST 8TH STREET SANFORD, FLORIDA

TYPE SURVEY SKETCH AND DESCRIPTION	DATE: 8/15/07
SCALE 1" = 80'	Revised 6/12/09
JOB NO: 81507	SHEET: 1 OF 1

THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE

THIS INSTRUMENT PREPARED BY:
DAVID G. SHIELDS
ASSISTANT COUNTY ATTORNEY
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-5736

COUNTY DEED

COUNTY OF SEMINOLE, FLORIDA

THIS DEED is made this ____ day of _____, 2009, by SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the GRANTOR, and AVORY P. WISDOM, whose address is 2030 Pleasant Point Drive, Geneva, Florida 32732, hereinafter referred to as the GRANTEE.

W I T N E S S E T H:

THAT GRANTOR for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid by GRANTEE, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell to GRANTEE, his heirs and assigns forever, the following described land lying and being in Seminole County, Florida, to-wit:

See attached Exhibit A

PROPERTY TAX I.D. NO.: 32-19-32-300-020C-0000

GRANTOR, in accordance with Section 270.11, Florida Statutes, releases its interest in, and title in and to all the phosphate, minerals and metals that are or may be in, on or under the above described land with the privilege to mine and develop the same, the GRANTEE having petitioned for said release. The reason justifying such release is that the above described land is too small to have practical value for mining, it is unknown whether any valuable minerals exist on the property, the property is not in a location conducive to mining operations of any kind, and without full mineral rights, GRANTEE would have great difficulty obtaining financing for the property.

IN WITNESS WHEREOF the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

ATTEST:

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

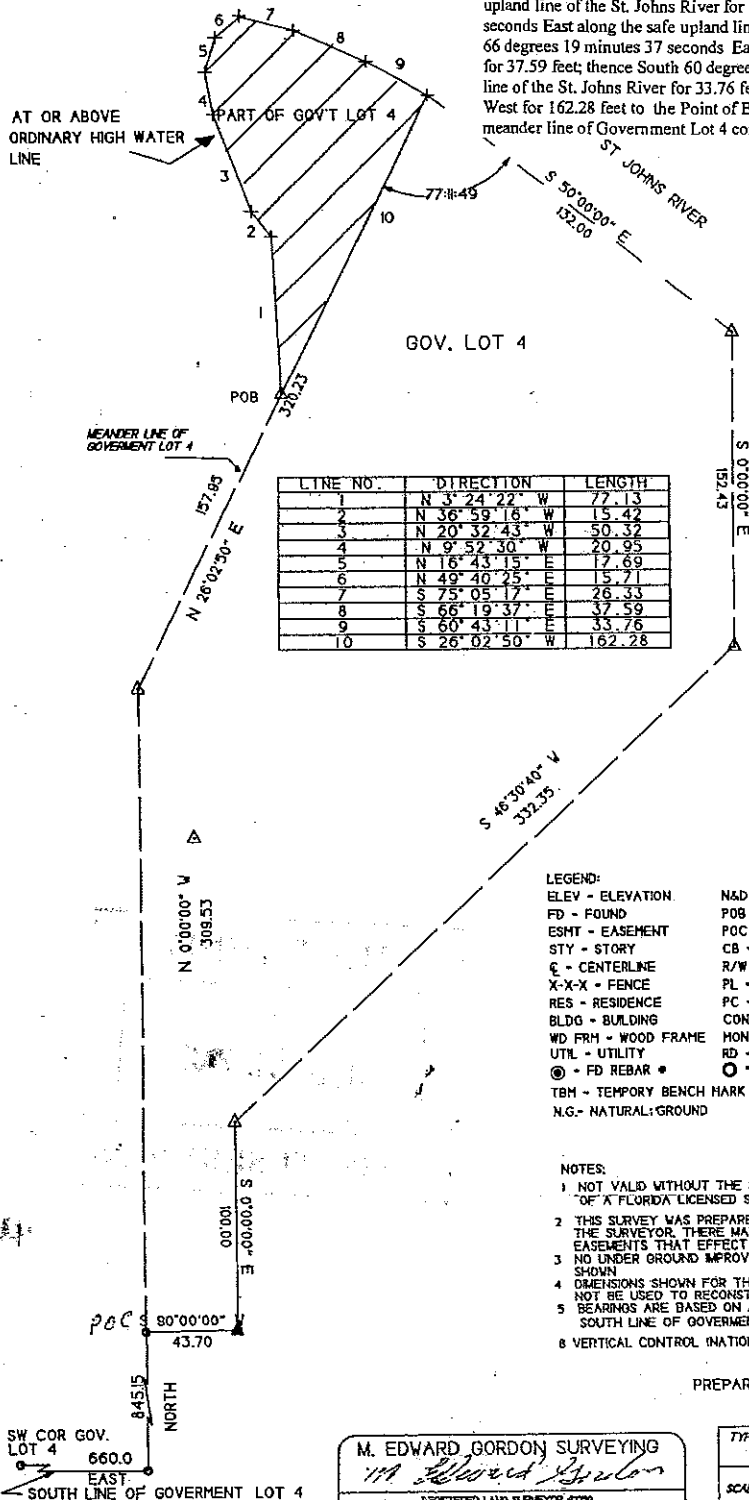
By: _____
BOB DALLARI, Chairman

Date: _____

LEGAL DESCRIPTION

EXHIBIT A

An unsurveyed part of Government Lot 4 of Section 32, Township 19 South, Range 32 East, Seminole County, Florida; Commencing 660.00 feet East and 845.15 North of the Southwest Corner of Government Lot 4 in Section 32, Township 19 South, Range 32 East, Seminole County, Florida; thence run North 309.53 feet; to meander line of Government Lot 4; thence run North 26 degrees 02 minutes 50 seconds East along said meander line, 157.95 feet for a Point of Beginning; thence North 3 degrees 24 minutes 22 seconds West along the safe upland line of the St. Johns River for 77.13 feet; thence North 36 degrees 59 minutes 16 seconds West along the safe upland line of the St. Johns River for 15.42 feet; thence North 20 degrees 32 minutes 43 seconds West along the safe upland line of the St. Johns River for 50.32 feet; thence North 9 degrees 52 minutes 30 seconds West along the safe upland line of the St. Johns River for 20.95 feet; thence North 16 degrees 43 minutes 15 seconds East along the safe upland line of the St. Johns River for 17.69 feet; thence North 49 degrees 40 minutes 25 seconds East along the safe upland line of the St. Johns River for 15.71 feet; thence South 75 degrees 05 minutes 17 seconds East along the safe upland line of the St. Johns River for 26.33 feet; thence South 66 degrees 19 minutes 37 seconds East along the safe upland line of the St. Johns River for 37.59 feet; thence South 60 degrees 43 minutes 11 seconds East along the safe upland line of the St. Johns River for 33.76 feet; thence South 26 degrees 02 minutes 50 seconds West for 162.28 feet to the Point of Beginning. Said Point of Beginning being on the meander line of Government Lot 4 containing 0.21 +/- acres.



TYPE SURVEY SKETCH AND DESCRIPTION	DATE: 6/15/07
SCALE: 1" = 80'	Revised 6/2/09
JOB NO.: 61507	SHEET: 1 OF 1

THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE OF FLORIDA

PARTIAL RELEASE OF RESTRICTION AND REVERTER

DEED NO. 18920-A

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA ("BOARD OF TRUSTEES") is by Section 253.03, Florida Statutes, authorized and empowered to release restrictions and reverters for certain lands under the terms and conditions set forth herein; and

WHEREAS, said BOARD OF TRUSTEES conveyed to SEMINOLE COUNTY, FLORIDA ("COUNTY"), those lands that are more particularly described in Deed No. 18920, recorded in Deed Book 115, Page 223, Public Records of Seminole County, Florida (the "Property"); and

WHEREAS, said Deed No. 18920 contains the following deed restriction and reverter (the "Restriction" and "Reverter"):

"This conveyance is made and accepted on the express condition that the area above described [the "Property"] is to be used as a public camp and picnic grounds, and should said area be used for any purposes other than public camp and picnic grounds, the title to said land shall automatically revert to and become the property of the Trustees of the Internal Improvement Fund of the State of Florida, the Grantors herein."

WHEREAS, a portion of the Property, described in Exhibit "A" attached hereto and by reference made a part hereof (the "Release Parcel") is landlocked, which makes it undesirable for public use; and

WHEREAS, COUNTY is desirous of conveying the Release Parcel to the adjacent landowner, and in order to accomplish the same it is necessary that the Restriction and Reverter be released from the Release Parcel; and

WHEREAS, in order to release the Restriction and Reverter from the Release Parcel, BOARD OF TRUSTEES requires payment in the amount of FOURTEEN THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$14,400.00).

NOW THEREFORE, in consideration of FOURTEEN THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$14,400.00), the foregoing recitals and of the mutual covenants, terms and conditions herein contained, and other good and valuable consideration, the receipt and

sufficiency of which is hereby acknowledged, BOARD OF TRUSTEES and COUNTY hereby agree to the following:

1. BOARD OF TRUSTEES hereby releases the Release Parcel from the Restriction and Reverter so COUNTY may convey the Release Parcel without the Restriction and Reverter.

2. This release is given upon the express condition that it shall in no way affect the Restriction and Reverter as to the lands described in Deed No. 18920 not hereby released, but shall only be construed as a release of the Restriction and Reverter as to the Release Parcel.

IN WITNESS WHEREOF, BOARD OF TRUSTEES and COUNTY have caused this Partial Release of Restriction and Reverter to be executed the day and year first above written.

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA

Witness

Print/Type Witness Name

Witness

Print/Type Witness Name

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, as Assistant Director, Division of State Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, who is personally known to me.

(SEAL)

By: _____ (SEAL)
_____, ASSISTANT
DIRECTOR, DIVISION OF STATE
LANDS, STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

Notary Public, State of Florida

Print/Type Notary Name

Commission Number: _____

My Commission Expires: _____

Approved as to Form and Legality
By: _____
DEP Attorney

SEMINOLE COUNTY, FLORIDA
By its Board of County Commissioners

Witness By: _____ (SEAL)

Print/Type Witness Name Print/Type Name

Witness Title: _____

Print/Type Witness Name (OFFICIAL SEAL)

ATTEST: _____
County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of Seminole County

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this _____ day of
_____, 20____, by _____ and _____, as
_____, and _____,
respectively, on behalf of the Board of County Commissioners of Seminole County, Florida.
They are personally known to me or produced _____ as
identification.

Notary Public, State of Florida

Print/Type Notary Name

Commission Number:

Commission Expires:

EXHIBIT "A"

An unsurveyed part of Government Lot 4 of Section 32, Township 19 South, Range 32 East, Seminole County, Florida; Commencing 660.00 feet East and 845.15 feet North of the Southwest Corner of Government Lot 4 in Section 32, Township 19 South, Range 32 East, Seminole County, Florida; thence run North 309.53 feet; to meander line of Government Lot 4; thence run North 26 degrees 02 minutes 50 seconds East along said meander line, 157.95 feet for a Point of Beginning; thence North 3 degrees 24 minutes 22 seconds West along the safe upland line of the St. Johns River for 77.13 feet; thence North 36 degrees 59 minutes 16 seconds West along the safe upland line of the St. Johns River for 15.42 feet; thence North 20 degrees 32 minutes 43 seconds West along the safe upland line of the St. Johns River for 50.32 feet; thence North 9 degrees 52 minutes 30 seconds West along the safe upland line of the St. Johns River for 20.95 feet; thence North 16 degrees 43 minutes 15 seconds East along the safe upland line of the St. Johns River for 17.69 feet; thence North 49 degrees 40 minutes 25 seconds East along the safe upland line of the St. Johns River for 15.71 feet; thence South 75 degrees 05 minutes 17 seconds East along the safe upland line of the St. Johns River for 26.33 feet; thence South 66 degrees 19 minutes 37 seconds East along the safe upland line of the St. Johns River for 37.59 feet; thence South 60 degrees 43 minutes 11 seconds East along the safe upland line of the St. Johns River for 33.76 feet to a point on the aforesaid Government Lot 4 meander line; thence South 26 degrees 02 minutes 50 seconds West along said meander line for 162.18 feet for the Point of Beginning.

BSM: Mary Tew

DATE: 6/23/09

